

# **Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**REALTIME DATA LLC d/b/a IXO,**

**Plaintiff,**

**v.**

**MICROSOFT CORPORATION, DELL  
INCORPORATED, and HEWLETT-  
PACKARD COMPANY,**

**Defendants.**

**Case No. 4:14-cv-00827 (RC)**

**JURY TRIAL DEMANDED**

**JOINT PROPOSED SCHEDULING ORDER**

The Court ORDERS that the following schedule and deadlines are in effect in this case:

<b>Proposed Date</b>	<b>Event</b>
April 27, 2015	Deadline to file any motion to transfer.
May 18, 2015	Rule 16 Management Conference at 1:30 p.m. in Courtroom 2 at the United States Courthouse in Beaumont, Texas.  Rolling production of information relevant to the claim or defense of any party (other than e-discovery) may commence following the Management Conference. Rolling privilege logs to be exchanged within 30 days after each production.  Depositions may commence following the Management Conference.
To be discussed at Management Conference	Mediation.  If the parties agree that mediation is an option, the Court will appoint a mediator or the parties will mutually agree upon a mediator. If the parties choose the mediator, they are to inform the Court by letter the name and address of the mediator.
May 28, 2015	P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served.
June 22, 2015	Deadline to join additional parties.
July 6, 2015	Exchange initial mandatory disclosures, other than information directed solely toward damages.
July 13, 2015	P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served.

July 30, 2015	Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).
August 17, 2015	Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same (P.R. 4-2).
August 17, 2015	Deadline to file Amended Pleadings.  It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings except to the extent the amendment seeks to add a new patent in suit. After the deadline, a party may move the Court for Leave to Amend upon a showing of good cause.
August 31, 2015	Joint Claim Construction and Prehearing Statement to be filed (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.
September 7, 2015	Response to Amended Pleadings due.
September 25, 2015	Completion date for discovery on claim construction (P.R. 4-4).
October 1, 2015	Substantial completion of rolling production of information referred to in initial disclosures (other than e-discovery).
October 7, 2015	Opening claim construction brief (P.R. 4-5(a)).
October 30, 2015	Responsive claim construction brief (P.R. 4-5(b)).
November 3, 2015	Submit technology synopsis (both hard copy and disk).
November 9, 2015	Reply claim construction brief (P.R. 4-5 (c)).
November 17, 2015	Parties to file joint claim construction and chart (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible.
	Claim Construction Pre-Hearing Conference (should the parties and/or the Court believe it is necessary to hold such a Conference. In the event that the parties agree that the Conference is not necessary, the parties will promptly inform the Court.)
December 1, 2015	Claim Construction hearing, 10:00 a.m. in Beaumont, Texas.
January 15, 2016	Provide Initial Mandatory Disclosures of information directed solely to damages.
January 15, 2016	Comply with P.R. 3-7 (Designation of Willfulness Opinions).
January 29, 2016	Completion of fact discovery.
February 2, 2016	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).
March 1, 2016	Parties to designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B).
March 22, 2016	Completion of expert discovery.
April 5, 2016	Objections to any expert, including Daubert motions, shall be filed. Such objections and motions are limited to ten pages each.
April 5, 2016	File Dispositive motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each

	individual motion shall comply with Local Rule CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e).
June 8, 2016	Notice of intent to offer certified records.
June 8, 2016	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (see Local Rule CV-16(b)) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
June 15, 2016	Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered.
June 25, 2016	Deadline to serve a response with any objections to the video deposition designation. Requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the court's rulings on objections.
June 29, 2016	File Joint Final Pretrial Order. See Local Rules Appendix D (obtain form for Exhibit List from District Clerk's Office, or create an Exhibit List form that mirrors the District Clerk's form). Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.
July 6, 2016	Motions in limine due.
July 13, 2016	Response to motions in limine due.  File objections to witnesses, deposition extracts, and exhibits listed in Pretrial Order. (This does not extend the deadline to object to expert witnesses). If numerous objections are filed, the court may set a hearing prior to docket call.  File proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law.)
July 27, 2016	Docket Call and Final Pretrial at 9:00am in Plano, Texas.  Date parties should be prepared to the try the case. Provide court with two copies of most updated Exhibit List. Absent agreement of the parties, this should not have exhibits which were not listed in the Final Pretrial Order, but may have some deletions depending on rulings on objections. At this date, the parties should be prepared to give the Deputy Clerk one hard copy of the exhibits.
August 1, 2016	9:00 a.m. Jury Selection and Trial in Plano, Texas.

**SO ORDERED.**